IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2328 OF 2007
IN
SUIT NO.1565 OF 2007

Vipul Mathurdas Thakker. ..Plaintiff.

V/s.

Pankaj Arjun Chothani. ..Defendant.

And

Mr.Haresh T. Bhatia & Anr. ..Interveners.

Ms.Rajni Iyer, Sr.Advocate a/w Mr.Chirag Balsara i/b. Thakor Jariwala & Associates for Plaintiff.

Mr.Vatsal Shah, Mr.Yatin Shah for Defendant.

Ms.Manorama Mohanty i/b. S.K.Srivastava & Co. for Applicants/Interveners.

CORAM: A.M.KHANWILKAR,J

DATE : AUGUST 14, 2007.

P.C. :

1. The fact that the Applicants have entered into some agreement with the Plaintiff with regard to the suit property, by itself will not entitle the applicants to intervene in the present suit, which is between the Plaintiff and Defendant for specific relief of return of original documents pending with the Defendants. The Applicants are neither necessary nor proper party to the subject matter in the said Suit.

2. In the circumstances, this Notice of Motion is rejected, with liberty to the Applicants to take recourse to such other remedy, as may be permissible by law for appropriate relief.

(A.M.KHANWILKAR,J)